

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
APRIL 7, 1965

This regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, April 7, 1965, in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - CULBERTSON, DOW, KIRSTEN,
WALTON and BROWN(Mayor)

Absent: Councilmen - None

Also present: City Manager Graves, City Attorney Mullen, Administrative Assistant Peterson, and Planning Director Schroeder.

MINUTES

On motion of Councilman Culbertson, Walton second, the minutes of March 31, 1965, were approved as written and mailed after correcting the paragraph on page 4- entitled "Lease of Waste Disposal Site" by adding the word "second" after "Culbertson" in the last sentence.

PUBLIC HEARINGS

UNIFORM
PLUMBING CODE
ORD. NO. 784
INTRODUCED

Notice thereof having been published in accordance with law, Mayor Brown called for public hearing on the proposal to adopt the 1964 Edition of the "Western Plumbing Officials Uniform Plumbing Code" with certain modifications to provide for the elimination of bituminous fiber pipe for sanitary house sewers. According to the Public Works Department, local experience with bituminous fiber pipe has been unsatisfactory. There were no protests, written or oral. On motion of Councilman Walton, Dow second, the City Council introduced Ordinance No. 784 adopting the 1964 Edition of the "Western Plumbing Officials Uniform Plumbing Code" and amendments thereto.

REZONE SW COR.
IRIS DR. &
HAM LANE TO R-3
ORD. NO. 785
INTRODUCED

Notice thereof having been published in accordance with law, the Mayor called for public hearing on the proposal to rezone from the R-1 Single Family Residential District to the R-3 Limited Multiple Family Residential District property located at the southwest corner of Iris Drive and Ham Lane. Mr. Maurice O. Ray, Jr., 1201 Edgewood Drive, said he wished to use the property for a convalescent home and the Planning Commission had no objections as long as the surrounding area was not landlocked. Mr. Earl McMillen, 1416 Iris Drive, said he lived next door to the Ray property and was against the rezoning. There were no further comments, written or oral. Councilman Walton moved the introduction of Ordinance No. 785 rezoning the property at the southwest corner of Iris Drive and Ham Lane to R-3. His motion was seconded by Councilman Kirsten and carried by unanimous vote.

LABOR UNION
OFFICIAL

Mr. Cornelius Ward, Manager of the Ladies Garment Workers Labor Union, San Francisco, introduced himself to the Council and said he was in Lodi to help the garment workers.

PLANNING COMMISSION

WEST LODI AVE.
STUDY AREA

The Planning Commission recommended that the Council approve the rezoning of the West Lodi Avenue Study Area as proposed by the Commission. Material concerning the recommendation has been given to members of the Council. Public hearing will be set at a later date.

Minutes of April 7, 1965 continued

KETTELMAN ADDN.
REZONING

The Planning Commission recommended that the Kettelman Addition at the northeast corner of Kettelman Lane and Cherokee Lane be rezoned to C-2 Commercial. On motion of Councilman Walton, Kirsten second, the proposed rezoning was set for public hearing on April 21, 1965.

AMEND CODE RE
R-3 ZONE

The Commission recommended that the City Code be amended by eliminating the requirement that each four apartment units in an R-3 Residential District, Limited Multiple Family, have fifty feet of lot width and establishing the density of units on a square footage basis only. On motion of Councilman Dow, Kirsten second, the matter was set for public hearing on April 21, 1965.

OTHER PC
ACTIONS

Others actions of the Planning Commission were reported as follows:

1. Set for public hearing the request of Mr. Hugh Dow for a change in zoning from R-1 Residential District - One-Family to the C-1 Commercial District to establish an existing non-conforming plant nursery as a conforming use.
2. Set for public hearing the request of Mr. Ridgely Dove for a use permit to establish an automobile body and fender shop at the northwest corner of South Cherokee Lane and East Walnut Street in a C-2 Commercial District.
3. Recommended denial of the County Referral of the request of Mr. Ralph Garabedian, representing the N. Kishida Trucking Company, to establish a truck terminal with an office and shop on the west side of Beckman Road extending from approximately 2000 feet to 2370 feet south of Kettelman Lane.
4. Established veterinary hospitals as a use permitted with a use permit in a C-2 Commercial District upon the request of the City Planning Director.

COMMUNICATIONS

PETITE
BEAUTY SHOP

Notice from the County of San Joaquin that the appeal of the City concerning the County Use Permit to the Petite Beauty Shop on West Lane has been set for public hearing before the Board of Supervisors on April 8, 1965.

CVD, LCC

Notice from the City of Merced that the next meeting of the Central Valley Division of the League of California Cities will be held in that city on April 22, 1965.

CODE OF ETHICS
FOR JUVENILES

Communication from the League of California Cities concerning relationship of juveniles to their community and referring to the "Piedmont Code of Ethics" prepared by the City of Piedmont, a copy of which was enclosed.

CHAMBER OF
COMMERCE RE
UNDERPASS ON
KETTELMAN LANE

A letter was received from the Lodi District Chamber of Commerce endorsing a proposed underpass on Kettelman Lane at the Southern Pacific tracks and suggesting that the Chamber's Roads and Highways Committee meet with the Council in an effort to get this project under way. Mr. Graves suggested that as a first step the Council adopt a resolution requesting the State

RES. NO. 2809
ADOPTED

Minutes of April 7, 1965 continued

Division of Highways to conduct a feasibility study of an underpass at this location. On motion of Councilman Kirsten, Walton second, the City Council adopted Resolution No. 2809 requesting the State Division of Highways to make a study of the feasibility of constructing an underpass on Kettleman at the Southern Pacific tracks.

SAFETY
COUNCIL RE
CROSSWALK

A letter was read from the Lodi District Safety Council requesting a crosswalk across Fairmont Avenue on the north side of Cardinal Street in the vicinity of the Senior Elementary School. Mr. Graves said he would have the Public Works Department consider the request.

STATE
RELINQUISHES
CHEROKEE
LANE, ETC.

A certified copy of Resolution No. R-424 of the California Highway Commission relinquishing Cherokee Lane, Victor Road, and the frontage roads within the City limits to the City was presented. Director of Public Works Jones informed the Council that he had been in touch with the Division of Highways in regard to these streets and the streets are being turned over to the City in as good a condition as is consistent with the policy of the State in such matters. On motion of Councilman Culbertson, Kirsten second, the Council accepted the streets relinquished by the State.

ABC LICENSE

The following notices of application for alcoholic beverage license were read:

1. Transfer application, on sale beer and wine, by Luella Jean Brunke, Jerry's Club, 114 N. Sacramento Street.
2. Transfer application, off sale general, by Loretta and Walter Dockter, Dockter's Bottle Shop, 531 W. Lockeford Street.

REPORTS OF CITY MANAGER

CLAIMS

Claims in the amount of \$123,923.92 were approved on motion of Councilman Kirsten, Walton second.

CAPITAL
IMPROVEMENT
PROGRAM

City Manager Graves summarized his concept of the Capital Improvement Program, stating that the entire sanitary sewer program, the public safety building and the storm drainage program could be put on general obligation bonds. He felt the water program could be financed on a pay-as-you-go basis for the first two years, but there would be a deficit the third year so the safest method would be to go to revenue bonds for the water program. Mr. Graves presented a table showing the amount of revenue expected to be available for the capital improvement program during the next five years. Mr. Mel Davison of Stone and Youngberg presented figures which he had worked on in connection with the Council's thinking at the previous Council meeting. He said it appeared that it would be prudent if the City went to general obligation bonds for around \$7 million and that the rest could be done on pay-as-you-go; however, the program would need to be reduced. Councilman Kirsten felt that the City should avoid revenue bonds and any further increase in taxes. With the possible deferring of industrial waste facilities, he said the program could be accomplished with \$7 million in general obligation bonds and an increase in water and sewer rates. If necessary, he felt the last two years of the storm drainage program as presented, could be financed pay-as-you-go. Councilman Kirsten also pointed out that money paid by subdividers

Minutes of April 7, 1965 continued

had not been included in the revenue projection. Councilman Culbertson said that in addition to sub-division charges, grants from the Federal Government had not been considered. He voiced reluctance to cut back the program, saying the program could be carried for a five-year period by deferring the industrial wastes program. Both Councilman Kirsten and Councilman Culbertson presented figures on the blackboard to substantiate their views. On being questioned, Mr. Davison said it appeared feasible to undertake the program with \$7,200,000 in general obligation bonds if the industrial wastes line and parts of the storm sewer program were financed by other means when needed and the water and sanitary sewer rates were doubled. After discussing portions of the program to be eliminated, the Council agreed that the general obligation bonding program should consist of \$4,215,000 for sanitary sewers, \$1,145,000 for the public safety building, and \$1,840,000 for storm drainage. On motion of Councilman Kirsten, Culbertson second, the Council authorized Mr. Davison to proceed with the \$7,200,000 bond program as outlined.

SEWER RATES
INCREASED

ORD. NO. 786
INTRODUCED

Stating the City will need to raise its rates and should do it now, Councilman Kirsten moved the introduction of Ordinance No. 786 doubling the ~~sanitary~~ sewer rates effective on bills rendered thirty days after passage of the ordinance. His motion was seconded by Councilman Dow and carried by unanimous vote.

WATER RATES
INCREASED

ORD. NO. 787
INTRODUCED

Councilman Dow then moved the introduction of Ordinance No. 787 doubling the water rates effective on bills rendered thirty days after passage of the ordinance. His motion was seconded by Councilman Kirsten and carried by unanimous vote.

BOND
ELECTION
DATE SET

Councilman Walton felt June 8 was too early to have the bond election because there would not be sufficient time to inform the public and it would be better to wait until October. Councilman Walton then moved that the bond issue be presented to the voters in October. His motion was seconded by Councilman Dow. Councilman Kirsten said the public is not unaware of the City's problems, that October is a busy season, Delta College would be having a bond election in the fall, and it was wrong to delay the City's election. Councilman Dow said he agreed in part with Councilman Kirsten, that two months to put the program before the public would be pressing, but October doesn't appear to be the right time, and June 8 may be the only practical date. Councilman Culbertson said he could understand Councilman Walton's concern, but if the program is dropped during the summer, a lot of impetus will be lost. If presented in a simple form, the public should be informed by June. Mr. John Capell said he did not think a delay would solve the problem. He said now was the time to hit hard and get the vote; if the program is drawn out too long, the public is tired by the time to vote. The motion failed to carry by the following vote:

Ayes: Councilmen - WALTON

Noes: Councilmen - CULBERTSON, DOW, KIRSTEN
and BROWN

Councilman Culbertson moved that the bond election be held on June 8, 1965. His motion was seconded by Councilman Dow and carried by the following vote:

Minutes of April 7, 1965 continued

Ayes: Councilmen - CULBERTSON, DOW, KIRSTEN
and BROWN

Noes: Councilmen - WALTON

BOND
COUNSEL

On motion of Councilman Culbertson, Walton second, the firm of Orrick, Dahlquist, Herrington & Sutcliffe was hired as bond counsel.

OUTSIDE
WATER SERVICE -
MILLS PROPERTY

The request of Mrs. A. F. Mills, presented at the meeting of March 17, 1965, for outside water service in order to irrigate approximately 38 acres adjacent to the City, was considered by the Council. Mr. Graves said the taxes on the property would be increased by around \$190 if the property were annexed, but that this was offset by the water rates which would be in the neighborhood of \$608 if the property were in the City as compared to \$912 for outside rates. Mr. Lindsay P. Marshall, representing Mrs. Mills, said the property was ideal for subdivision, but the City cannot supply utilities and Mrs. Mills is not interested in annexing at this time. The land is in vineyard and water is needed for irrigation. Mr. Graves said the policy of the City for many years has been to give outside service only if the property owner agrees to annexation when requested by the City. The only exceptions have been when there has been some benefit to the City. Councilman Culbertson said ~~there may be some benefit~~ to the City in that the City intends to buy some of the Mills property and that if the City does not furnish the irrigation water, Mrs. Mills may put in a well on the property the City intends to purchase. City Attorney Mullen said the City's policy was important and there should be some tie-in to annexation if the request is granted. Councilman Kirsten moved that water for irrigation be supplied to the Mills property for a three-year period, and if the property is not annexed by that time, the water service be terminated. The motion was seconded by Councilman Dow and carried by the following vote:

Ayes: Councilmen - DOW, KIRSTEN and BROWN

Noes: Councilmen - WALTON

Abstain: Councilmen - CULBERTSON - because of personal interest.

AWARD -
HAM LANE
SANITARY LINE

The following bids were presented on the Ham Lane Sanitary Trunk Sewer:

RES. NO. 2810
ADOPTED

Wm. Burkhardt	\$13,233.00
Claude C. Wood Co.	13,257.50
S. M. McGaw Co.	13,420.00
Stockton Const. Co.	13,743.50
Tompkins & Gallaven	14,142.02
R. Goold & Son	15,797.50
Parrish, Inc.	15,927.00

The City Manager recommended that award be made to the low bidder. On motion of Councilman Kirsten, Walton second, the City Council adopted Resolution No. 2810 awarding the contract for the Ham Lane Sanitary Trunk Sewer to the low bidder, Wm. Burkhardt, for a total of \$13,233.

ADVANCE FOR
PUBLIC SAFETY
BLDG. PLANS

RES. NO. 2811
ADOPTED

Mr. Graves said an agreement has been received from the Federal Housing & Home Finance Agency, Community Facilities Administration, for the advance of funds for planning the Public Safety Building. On motion of Councilman Walton, Dow second, the City Council adopted Resolution No. 2811 authorizing the City Manager to sign the agreement on behalf of the City.

Minutes of April 7, 1965 continued

PROPERTY LINE
BETWEEN WOOD-
BRIDGE CEMETERY
AND LAKE PARK

The City Attorney has completed negotiations for the exchange of property with the Woodbridge Cemetery Association in order to eliminate a discrepancy in the boundary line between the City's property west of Lodi Lake and the cemetery. With the exchange, the line will follow the fence. The Council had instructed the City Attorney to make the exchange a year or so ago, but proceedings have taken some time in order to get proper authorization from the Cemetery Association. On motion of Councilman Walton, Kirsten second, the Council authorized execution of the deed to the Cemetery Association.

ORDINANCES

ELECTRIC
RATES

ORD. NO. 781
ADOPTED

ORDINANCE NO. 781, entitled "AN ORDINANCE REPEALING ORDINANCE NO. 606 OF THE CITY OF LODI AND ENACTING A NEW ORDINANCE ESTABLISHING RATES FOR THE SALE OF ELECTRIC ENERGY BY THE CITY OF LODI," having been introduced at the regular meeting of March 17, 1964, was brought up for passage on motion of Councilman Culbertson, Walton second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - CULBERTSON, DOW, KIRSTEN,
WALTON and BROWN

Noes: Councilmen - None

Absent: Councilmen - None

RESALE OF
ELECTRICITY

ORD. NO. 782
ADOPTED

ORDINANCE NO. 782, entitled "AN ORDINANCE OF THE CITY OF LODI REGULATING THE RESALE OF ELECTRIC ENERGY," having been introduced at the regular meeting of March 17, 1964, was brought up for passage on motion of Councilman Dow, Kirsten second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - CULBERTSON, DOW, KIRSTEN,
WALTON and BROWN

Noes: Councilmen - None

Absent: Councilmen - None

P-D ZONE

ORD. NO. 783
ADOPTED

ORDINANCE NO. 783, entitled "AMENDING THE CODE OF THE CITY OF LODI BY ADDING THERETO SECTION 27-9B ESTABLISHING THE P-D PLANNED DEVELOPMENT DISTRICT," having been introduced at the regular meeting of March 17, 1964, was brought up for passage on motion of Councilman Kirsten, Walton second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - CULBERTSON, DOW, KIRSTEN,
WALTON and BROWN

Noes: Councilmen - None

Absent: Councilmen - None

REORGANIZATION OF CITY COUNCIL

The City Clerk took the Chair and called for nominations for Mayor. Councilman Walton nominated Councilman Dow.


Minutes of April 7, 1965 continued

Councilman Culbertson nominated Councilman Kirsten. On motion of Councilman Brown, Walton second, the nominations were closed. Councilman Kirsten was then elected Mayor by a vote of 3 - 2. Councilman Kirsten nominated Councilman Culbertson for Vice-Mayor. Councilman Brown nominated Councilman Dow. On motion of Councilman Walton, Culbertson second, the nominations were closed, and Councilman Dow was elected Vice-Mayor by a vote of 4 - 1.

Mayor Kirsten took the Chair and thanked Councilman Brown for his devotion to his job as Mayor and Councilman Dow as Vice-Mayor. Councilman Brown thanked members of the Council for their cooperation during the past year. Councilman Culbertson congratulated the Mayor and Vice-Mayor and expressed his appreciation to Councilman Brown for his service as Mayor. Councilman Dow recognized Councilman Brown as a hardworking Mayor, congratulated Mayor Kirsten and offered his assistance as Vice-Mayor. Councilman Walton expressed his appreciation to Councilman Brown for a job well done.

ADJOURNMENT

There being no further business, the Council adjourned at 11:10 p.m. on motion of Councilman Brown, Walton second.


Attest: BEATRICE GARIBALDI
City Clerk